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Attorney for Defendants Pacific Northwest Software, Inc. and Winston Williams

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC., and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU LLC, (now known as CONNECTU INC.) CAMERON WINKLEVOSS, TYLER WINKLEVOSS, DIVYA NARENDRA, PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA,

Defendants.

CASE NO. C 07-01389 RS

DECLARATION OF SCOTT R. MOSKO IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION FOR FILING UNDER SEAL

Date: July 11, 2007
Time: 9:30 a.m.
Dept.: 4
Judge: Hon. Richard Seeborg

Dockets.Justia.com

I, Scott R. Mosko, declare as follows:

1. I am a partner with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., counsel of record for Defendants Winston Williams and Pacific Northwest Software, Inc. in the above-captioned matter. This declaration is based on my personal knowledge and, if called as a witness, could and would competently testify thereto.

2. The following material designated by the Plaintiffs in their Administrative Motion for Filing Under Seal contain highly confidential portions and sealable in part:

- Plaintiffs' Opposition to Defendants Pacific Northwest Software and Winston Williams' Motion to Dismiss for Lack of Jurisdiction.

3. The following materials were designated by the Plaintiff's in their Administrative Motion for Filing Under Seal are highly confidential and sealable in their entirety:

- Exhibits 1 and 2 of the Declaration of I. Neel Chatterjee in Support of Plaintiffs' Opposition to Defendants Pacific Northwest Software and Winston Williams' Motion to Dismiss for Lack of Jurisdiction ("Chatterjee Declaration") refer or contain information that has been designated by Plainiffs pursuant to the Stipulated Order in this case.

4. The following materials in Plaintiff's Administrative Motion for Filing Under Seal were designated by the Defendants as confidential or highly confidential and sealable in their entirety:

- Exhibit 7 to the Chatterjee Declaration contains Defendant ConnectU's discovery responses in the related matter of ConnectU v. Facebook, United States District Court for the District of Massachusetts, Civil Action No. 1:04-cv-11923 which contain material designated as confidential.
- Exhibits 9, 11, 12, 13, 16, 17 and 21 to the Chatterjee Declaration contain excerpts from the depositions of defendants taken in the related matter of *Facebook, Inc. v. ConnectU,* Superior Court of California, Case No. 1 05 CV 0473281. These deposition transcripts were designated as Highly Confidential by Defendants under the Stipulated Protective Order issued in the state court case on January 23, 2006.

- Exhibits 14, 19 and 26 to the Chatterjee Declaration contain e-mails and other business records of the defendants which have been designated as confidential or highly confidential by the defendants pursuant to Stipulated Protective Order entered in this case.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed on September 14, 2007, at Palo Alto, California

/s/ *Scott R. Mosko*
Scott R. Mosko